

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

NATIONWIDE MUTUAL INSURANCE COMPANY

PLAINTIFF

V.

CIVIL ACTION NO. 3:06CV172 HTW-LRA

PANTHER CREEK CONSTRUCTION CO., INC., A MISSISSIPPI GENERAL CORPORATION; MARK S. JORDAN, INDIVIDUALLY AND AS PRESIDENT AND DIRECTOR OF PANTHER CREEK CONSTRUCTION CO., INC., SECRETARY OF GOOD EARTH REALTY, INC., PRESIDENT AND DIRECTOR OF LAKE CAROLINE, INC.; RICHARD WAYNE PARKER, INDIVIDUALLY AND AS VICE PRESIDENT, TREASURER, AND DIRECTOR OF PANTHER CREEK CONSTRUCTION CO., INC., VICE PRESIDENT, TREASURER AND DIRECTOR OF LAKE CAROLINE, INC.; JOHN M. LOUIS, INDIVIDUALLY AND AS SECRETARY AND DIRECTOR OF PANTHER CREEK CONSTRUCTION CO., INC., SECRETARY AND DIRECTOR OF PANTHER CREEK CONSTRUCTION CO. INC., SECRETARY AND DIRECTOR OF LAKE CAROLINE, INC.; ZEITA TUPPA PARKER, INDIVIDUALLY AND AS DIRECTOR OF LAKE CAROLINE, INC.; MARK F. EVANS, INDIVIDUALLY AND AS VICE PRESIDENT OF DEVELOPMENT OF PANTHER CREEK CONSTRUCTION CO., INC.; TODD SEYMOUR, AS CONSTRUCTION MANAGER AND/OR CONSTRUCTION SUPERINTENDENT OF PANTHER CREEK CONSTRUCTION CO., INC.; MARK S. JORDAN, DOING BUSINESS AS PANTHER CREEK HOMES; GOOD EARTH REALTY, INC., A MISSISSIPPI GENERAL CORPORATION; DEE DENTON, INDIVIDUALLY AND PRESIDENT OF GOOD EARTH REALTY, INC.; MARK S. JORDAN, INDIVIDUALLY AND SECRETARY OF GOOD EARTH REALTY, INC.; STEPHANIE GRANTHAM (DUKES), INDIVIDUALLY AND AS AGENT FOR GOOD EARTH REALTY, INC.; LAKE CAROLINE, INC.; KENNETH R. LUCAS AND DONNA LUCAS

DEFENDANTS

FINAL JUDGMENT

This cause came before the court on the motion of the plaintiff for summary judgment. After consideration of the motion, evidence offered in support of the motion, and the memoranda of the parties, the court finds that plaintiff Nationwide Mutual Insurance Company's motion is well taken and should be granted. The Order Granting

Summary Judgment of this court dated March 30, 2008, and the findings of fact and law included therein are incorporated by reference. For the reasons assigned in that opinion, the court concludes that judgment should be entered in favor of the plaintiff and against the defendants and that the plaintiff should be awarded its costs.

IT IS ORDERED AND ADJUDGED that the plaintiff is entitled to recover its taxable costs in this action upon filing a Bill of Costs in the time and manner prescribed.

SO ORDERED AND ADJUDGED, this the 30th day of March, 2008.

s/ HENRY T. WINGATE

CHIEF UNITED STATES DISTRICT JUDGE

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Final Judgment